

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SAUL MARIN-SALAZAR,

Petitioner,

v.

NATHALIE R. ASHER, Field Office Director,
Immigration and Customs Enforcement, et al.,

Respondents.

Case No. C13-96-MJP

**ORDER GRANTING PETITION
FOR WRIT OF HABEAS CORPUS**

The Court, having reviewed petitioner's petition for writ of habeas corpus (Dkt. No. 4), respondents' return memorandum and motion to dismiss (Dkt. No. 12), the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida (Dkt. No. 17), and the remaining record, finds and Orders as follows:

(1) The Court adopts the Report and Recommendation.

(2) Petitioner's petition for writ of habeas corpus, Dkt. No. 4, is **GRANTED**, and respondents' motion to dismiss, Dkt. No. 12, is **DENIED**.

(3) Respondents shall provide petitioner with an individualized bond hearing before an Immigration Judge pursuant to 8 U.S.C. § 1226(a), to determine whether he is a flight risk or danger to the community, within fifteen (15) days of the date of the entry of this Order.

(4) Within five (5) days of the bond hearing, Respondents shall report to this Court the

1 disposition of Petitioner's bond hearing.

2 (5) The Clerk shall send a copy of this Order to the parties, and to Judge Tsuchida.

3 DATED this 9th day of April, 2013.

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5 Marsha J. Pechman
6 United States District Judge
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